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By: **Delegates Kelly, Owings, Edwards, McKee, Myers, and Shank**  
Introduced and read first time: January 30, 2003  
Assigned to: Appropriations

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Committee Report: Favorable  
House action: Adopted  
Read second time: March 11, 2003

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **State Employees - Department of Public Safety and Correctional Services**  
3 **and the Department of State Police - Denial of Employment**

4 FOR the purpose of requiring the Department of Public Safety and Correctional  
5 Services and the Department of State Police to provide certain information to an  
6 applicant for employment who is denied employment based, in whole or in part,  
7 on information contained in a report resulting from a search of federal, state, or  
8 local criminal justice records; and generally relating to applicants for State  
9 employment.

10 BY adding to  
11 Article - Correctional Services  
12 Section 2-119  
13 Annotated Code of Maryland  
14 (1999 Volume and 2002 Supplement)

15 BY adding to  
16 Article - Public Safety  
17 Section 2-402(c)  
18 Annotated Code of Maryland  
19 (As enacted by Chapter \_\_\_\_\_ (S.B. 1) of the Acts of the General Assembly of  
20 2003)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
22 MARYLAND, That the Laws of Maryland read as follows:

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**Article - Correctional Services**

2 2-119.

3 IF AN APPLICANT FOR EMPLOYMENT WITH THE DEPARTMENT IS DENIED  
4 EMPLOYMENT BASED, IN WHOLE OR IN PART, ON INFORMATION CONTAINED IN A  
5 REPORT RESULTING FROM A SEARCH OF NATIONAL, STATE, OR LOCAL CRIMINAL  
6 JUSTICE RECORDS, THE DEPARTMENT, ON REQUEST OF THE APPLICANT, SHALL  
7 PROVIDE TO THE APPLICANT A WRITTEN STATEMENT OF THE SPECIFIC  
8 INFORMATION FROM THE REPORT ON WHICH THE EMPLOYMENT DECISION WAS  
9 BASED.

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**Article - Public Safety**

11 2-402.

12 (C) IF AN APPLICANT FOR EMPLOYMENT WITH THE DEPARTMENT IS DENIED  
13 EMPLOYMENT BASED, IN WHOLE OR IN PART, ON INFORMATION CONTAINED IN A  
14 REPORT RESULTING FROM A SEARCH OF NATIONAL, STATE, OR LOCAL CRIMINAL  
15 JUSTICE RECORDS, THE DEPARTMENT, ON REQUEST OF THE APPLICANT, SHALL  
16 PROVIDE TO THE APPLICANT A WRITTEN STATEMENT OF THE SPECIFIC  
17 INFORMATION FROM THE REPORT ON WHICH THE EMPLOYMENT DECISION WAS  
18 BASED.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 October 1, 2003.